

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4941 of 2024

Arising Out of PS. Case No.-572 Year-2024 Thana- FATUA District- Patna

1. Dhananjay Kumar son of Indradeo Prasad @ Indradeo Rai village- Ranipur, P.S. Fatuha, Dist- Patna.
2. Anjay @ Sanjay Kumar son of Indradeo Prasad @ Indradeo Rai village- Ranipur, P.S.- Fatuha, Dist- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kavita Devi Wife of Lalbahadur Paswan village- Ranipur, P.S.- Fatuha, Dist- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswanm, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 14-02-2025 Heard the parties.

2. Appellants seek regular bail, in connection with Fatuha P.S. Case No. 572 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 103(1), 352, 62(2) of B.N.S. and Section 27 of the Arms Act and 3(1)(r)(s)/3(2)(v) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act.

3. As per the prosecution case, on 22.08.2024 at about 06:30 P:M, while the husband of the informant was working in construction of village temple, appellants along with other



accused persons arrived with arms in their hands, surrounded him and abused the informant's husband by taking his caste name. It has further been alleged that co-accused Bhola Yadav, fired on informant's husband due to which he sustained injury and further he was taken to primary health centre where he was declared dead.

4. Learned counsel for the appellants submits that appellants are co-villagers and have falsely been implicated in this case due to village politics. No specific overt act has been alleged against the appellants. The appellants are having no criminal antecedent. The allegation of firing is upon the co-accused Bhola Yadav. The appellants are in custody since 24.08.2024 and there is no likelihood that the appellants will abscond or tamper with the evidence.

5. On the other hand, learned counsel for the informant and Special Public Prosecutor, S.C./S.T have opposed the prayer for bail and submits that appellants are named in the F.I.R. and they were members of the unlawful assembly.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that altogether 14 persons are named in the First Information Report. No specific overt act has been alleged against the appellants. The appellants are in custody since 24.08.2024 and there is no likelihood that the



appellants will abscond or tamper with the evidence, I am inclined to grant regular bail to the appellants.

7. This application is, accordingly, allowed.

8. Let the appellants, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge, S.C.-S.T. Act, Civil Court (Sadar), Patna, in connection with Fatuha Police Station Case No. 572 of 2024.

(Anil Kumar Sinha, J)

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